

## **CITY OF ALAMEDA**

### Memorandum

To: Honorable Mayor and  
Members of the City Council

From: Ann Marie Gallant  
Interim City Manager

Date: December 7, 2010

Re: Accept the Annual Report for the Public Art Fund as Required by the Public Art Ordinance and Accept a Presentation on a Proposed Update to the Public Art Program

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### BACKGROUND

On March 12, 2003, the City Council adopted Ordinance 2892, which created the Alameda Public Art Program (Program). The intent of the Program is to promote a diverse and stimulating cultural environment to enrich the lives of the City's residents and visitors and contribute to the vitality of the City's economic development. The Ordinance provides that private and municipal building projects with an assessed value of \$250,000 and over contribute no less than one percent of the building development costs, up to a maximum of \$150,000, toward on-site public artwork, cultural programs, or cultural activities. Projects also have the option to pay a fee in-lieu of installing on-site public art.

Pursuant to this Ordinance, Alameda Municipal Code (AMC) subsection 30-65.5 requires the establishment of a fund for Public Art-related contributions, including in-lieu fees, and any and all other revenues appropriated or received for Public Art (Public Art Fund). This includes fees paid by the applicant to cover administrative costs associated with processing applications for on-site art proposals. The AMC also requires the preparation of an annual report that provides information regarding the amount of fees collected and expended in the fund balance at both the beginning and end of the fiscal year. This report is intended to satisfy the annual review requirement for the fiscal year ending June 30, 2010.

Additionally, it has been over five years since the adoption of the Public Art Ordinance and staff believe that a review and update to the existing Program is warranted. An update will allow the City to improve upon certain aspects of the current Program and incorporate new concepts and plans, including an Art in Public Places Plan, which will address the City's gateways.

## DISCUSSION

Staff is finalizing a Request for Qualifications (RFQ) for preparation of an update to the existing Public Art Program to perform the following tasks:

- Conduct an overall review and evaluation of the strengths and weaknesses of the existing Program since its inception;
- Improve upon the existing design guidelines, including the potential for a thematic design framework for all public art projects that promote uniqueness and creativity at the same time they demonstrate Citywide integration;
- Revise the Program to address large-scale redevelopment projects, such as Alameda Point and new development along the Northern Waterfront, since the current Program was developed for single development projects; and
- Create an Art in Public Places Plan that identifies publicly owned sites and facilities with potential for public art; develop criteria and design parameters for the public art; prepare a number of conceptual designs for key locations, potentially including the City's gateways; estimate costs and financing sources for the new Plan; solicit community feedback on the Plan; coordinate with other City planning efforts, such as the Citywide Urban Greening Plan, Alameda Point vision process, and Park Street streetscapes; and prepare a plan for implementing next steps.

It is anticipated that the RFQ will be issued by the end of the year and a qualified art consultant experienced in civic art programs will be retained by February 2011. The update to the existing Program would be finalized for City Council review and adoption during summer 2011.

As of July 1, 2009, the Public Art Fund had a balance of \$72,806. In FY09-10, there were no development projects subject to the payment of public art fees. Interest in the amount of \$670 was credited to the fund. No expenditures or staff costs were charged to this fund during FY09-10, bringing the ending fund balance as of June 30, 2010 to \$73,476. It should be noted that the "Administrative Cost" in Exhibit 1 represents a running total since 2003.

The Public Art Commission (PAC) meetings were formerly held monthly but are now only scheduled when there is business to conduct. The PAC has been largely inactive since the last public art project was approved in December 2008. No public art projects were submitted during FY09-10, and the PAC met only once during this fiscal year.

FINANCIAL IMPACT

Funds from public art fees are held in the Public Art Fund (Fund 285) that can only be used for eligible public art purposes specified in the Ordinance. There is no impact on the General Fund for accepting the annual report. The available balance in Fund 285 will fund the proposed update to the Public Art Program.

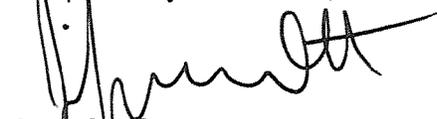
MUNICIPAL CODE/POLICY DOCUMENT CROSS REFERENCE

This Annual Review is consistent with the requirements of Section 30-65 of the AMC.

RECOMMENDATION

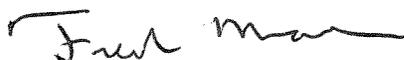
Accept the annual report for the public art fund as required by the Public Art Ordinance and accept a presentation on a proposed update to the Public Art Program.

Respectfully submitted,



Jennifer Ott  
Deputy City Manager

Approved as to funds and account,



Fred Marsh  
Controller

LA:fm

Exhibits:

1. Summary of Public Art Fund for FY09-10
2. City of Alameda Public Art Program Power Point Presentation

**Exhibit 1  
 Summary of Public Art Fund (Fund 285)  
 Fiscal Year 2009-10**

<b>Item</b>	<b>Beginning Balance as of 7/1/2009</b>	<b>FY09-10</b>	<b>Ending Balance as of 6/30/2010</b>
<b>Interest Income</b>	10,304	670	10,974
<b>Administrative Cost</b>	(14,728)	0	(14,728)
<b>Project Revenue</b>			
285010 South Shore Center	28,363		28,363
285011 Bayship & Yacht	4,481		4,481
285012 Work/Live Project	4,721		4,721
285013 Bridgeside Shopping Center	5,750		5,750
285014 Perforce	21,156		21,156
285015 2411 Webb	3,250		3,250
285016 Safeway	5,627		5,627
285017 KFC	3,882		3,882
<b>Totals</b>	<b>\$72,806</b>	<b>\$670</b>	<b>\$73,476</b>